

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

VARUJAN L. PICCARD

Plaintiff,

v.

NEIL P. DEEDY

Defendant.

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CIVIL ACTION

FILE NO.: 1:21-cv-0558

**DEFENDANT’S MOTION TO STAY DISCOVERY AND EXTEND
DEADLINES UNTIL RULING ON DEFENDANT’S MOTION TO DISMISS
PLAINTIFF’S COMPLAINT**

COME NOW, Neil P. Deedy, Defendant in the above-styled action, and, without waiving any defenses related to sufficiency of process, hereby respectfully moves the Court for an Order (1) staying discovery and (2) extending the deadline for the Parties to file their Joint Preliminary Report and Initial Disclosures until fourteen (14) days after the Court has ruled on Defendant’s pending Motion to Dismiss Plaintiff’s Complaint (Doc. No. 8). In support of this Motion, Defendant shows the Court as follows:

1.

Plaintiff filed his Complaint against Defendant February 8, 2021, alleging claims against the Defendant. [Doc. 1.]

2.

On March 3, 2021, Defendant timely filed his Answer. [Doc. 7].

3.

On March 3, 2021, Defendant also filed a Motion to Dismiss on the grounds that Plaintiff failed to state a claim, that service was insufficient, and that Defendant Deedy was not a proper party. [Doc. 8]. The motion, if granted in its entirety, would be fully dispositive of the claims against Defendant and would result in the dismissal of this lawsuit.

4.

On March 5, 2021, Plaintiff filed a Motion for Judgment on the Pleadings. [Doc. 8]. The motion, if granted in its entirety, would be fully dispositive of the claims against Defendant and would result in the dismissal of this lawsuit.

5.

Out of an abundance of caution, since Defendant's Motion to Dismiss, if granted, would be dispositive of the case, Defendant requests a stay until fourteen (14) days after the Court issues its ruling on Defendant's Motion to Dismiss Plaintiff's Complaint.

6.

Defendant requests the stay in an effort to streamline the case and prevent the unnecessary of the parties' resources. The stay is not being requested for the purpose of delay, nor will the stay prejudice any of the parties.

WHEREFORE, Defendant respectfully requests that this Court stay discovery and Initial Disclosures until fourteen (14) days after the Court issues its ruling on Defendant's Motion to Dismiss Plaintiff's Complaint. A proposed Order is filed herewith for the Court's consideration.

This 19th day of March, 2021.

Respectfully submitted,

SWIFT, CURRIE, McGHEE & HIERS

/s/ Rebecca E. Strickland
Rebecca E. Strickland, Esq.
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LOCAL RULE 5.1C CERTIFICATION

By signature below, counsel certifies that the foregoing pleading was prepared in Times New Roman, 14-point font in compliance with Local Rule 5.1C.

This 19th day of March, 2021.

SWIFT, CURRIE, MCGHEE & HIERS, LLP

/s/ Rebecca A. Strickland

Rebecca E. Strickland

Georgia Bar No. 358183

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CERTIFICATE OF SERVICE

This is to certify that I have this day electronically filed the foregoing **REPLY BRIEF IN SUPPORT OF DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT FOR CIVIL CASE** with the Clerk of Court by e-filing same using the CM/ECF File & Serve System and served a copy upon all parties by depositing a true copy of same in the U.S. mail, proper postage prepaid, addressed to the parties, as follows:

Varujan L. Piccard
Interior Solutions (Publishing)
265 Rose Ivy Court
Lawrenceville, Georgia 30043
Pro Se Plaintiff

This 19th day of March, 2021.

Respectfully submitted,

SWIFT, CURRIE, McGHEE & HIERS

/s/ Rebecca E. Strickland

Rebecca E. Strickland, Esq.

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